

1

Claims:

2       1. A computer program product storing computer  
3       instructions therein for instructing a computer to  
4       perform a process for automatically determining a  
5       machine implemented estimated value of an intellectual  
6       property portfolio, the program product comprising:  
7              a recording medium readable by the computer; and  
8              the computer instructions stored on said recording  
9              medium instructing the computer to perform the process,  
10             the instructions including:

11                  (a) storing first objectively determinable  
12              characteristics of representative intellectual  
13              property portfolios and objectively determinable  
14              values corresponding to each of the representative  
15              intellectual property portfolios, the first  
16              objectively determinable characteristics and the  
17              objectively determinable values forming a baseline  
18              against which to assess the estimated value of the  
19              intellectual property portfolio;

20                  (b) analyzing the intellectual property  
21              portfolio to determine second objectively  
22              determinable characteristics of the intellectual  
23              property portfolio to be estimated;

24                  (c) deriving first information representing  
25              the second objectively determinable  
26              characteristics of the intellectual property  
27              portfolio to be estimated responsive to said  
28              analyzing step (b);

29                  (d) retrieving second information  
30              representing the first objectively determinable

1                   characteristics and the objectively determinable  
2                   values of the representative intellectual property  
3                   portfolios; and

4                   (e) comparing the first information received  
5                   from said deriving step (c) to the second  
6                   information received from said retrieving step (d)  
7                   producing an estimated value of the intellectual  
8                   property portfolio when the first information of  
9                   the intellectual property portfolio is  
10                  statistically similar to the second information of  
11                  one of the representative intellectual property  
12                  portfolios.

13                  2. An computer program product according to  
14                  claim 1, wherein the intellectual property portfolio  
15                  comprises at least one of patented, trademarked and  
16                  copyrighted intellectual property.

17                  3. An computer program product according to  
18                  claim 1, wherein at least one of a patent database, a  
19                  trademark database, a copyright database, a legal  
20                  reporter database, a current events database and an  
21                  intellectual property status database are utilized to  
22                  determine the machine implemented estimated value of  
23                  the intellectual property portfolio.

24                  4. An computer program product according to  
25                  claim 1,  
26                  wherein the intellectual property portfolio  
27                  comprises a patent portfolio including patents, and  
28                  wherein the first objectively determinable

1 characteristics includes patent information derived  
2 from the patents in the patent portfolio comprising at  
3 least one of the following: number of claims, length of  
4 independent claims, number and dates of references  
5 cited, number of classes searched, legal status of the  
6 patents, number of years until each of the patents  
7 expire, group which examined each of the patents,  
8 domestic priority, and foreign priority.

9       5. An computer program product according to  
10 claim 4, wherein the patent information further  
11 includes frequency with which the patents have been  
12 cited as references for other patents.

1                 6. An computer program product according to  
2 claim 1, further comprising the instruction of weighing  
3 each of the first and second objectively determinable  
4 characteristics according to predetermined weighing  
5 factors producing weighed first and second objectively  
6 determinable characteristics, and

7                 comparing the weighed first and second objectively  
8 determinable characteristics to determine the  
9 statistical similarity between the weighed first and  
10 second objectively determinable characteristics.

11                7. An computer program product according to  
12 claim 1,

13                 wherein the intellectual property portfolio  
14 includes issued patents, and at least one of trademarks  
15 and copyrights, and

16                 wherein the first objectively determinable  
17 characteristics are derived by analyzing the issued  
18 patents, and the at least one of trademarks and  
19 copyrights.

20                8. An computer program product according to  
21 claim 1, wherein the estimated value of the  
22 intellectual property portfolio is derived  
23 independently of accounting valuation techniques  
24 including cost, market and income approaches.

25                9. An computer program product according to  
26 claim 1, wherein the first information of the  
27 intellectual property portfolio is determined to be  
28 statistically similar to the second information of one

1 of the representative intellectual property portfolios  
2 utilizing at least one of a curve fitting technique and  
3 a standard deviation technique.

4 10. An computer program product according to  
5 claim 1,

6 wherein the first objectively determinable  
7 characteristics include first valuation indicators,

8 wherein the first valuation indicators are  
9 assigned an importance factor based upon predetermined  
10 criteria, and

11 wherein the first valuation indicators are  
12 compared to the second objectively determinable  
13 characteristics and the estimated value of the  
14 intellectual property portfolio is determined  
15 responsive to the importance factor of each of the  
16 valuation indicators.

17 11. An computer program product according to  
18 claim 1, wherein the objectively determinable values of  
19 the representative intellectual property portfolios  
20 include objectively determinable monetary values which  
21 are not determined by said computer program product.

1               12. An computer program product according to  
2 claim 10, wherein the objectively determinable monetary  
3 values of the representative intellectual property  
4 portfolios are determined by at least one of prior  
5 adjudication, prior license values, prior purchase  
6 values and an accountant evaluation based upon  
7 generally acceptable accounting procedures (GAAP) of  
8 the representative intellectual property portfolios.

9               13. A computer program product storing computer  
10 instructions therein for instructing a computer to  
11 perform a process for automatically determining a  
12 machine implemented estimated value of an intellectual  
13 property portfolio, the program product comprising:  
14               a recording medium readable by the computer; and  
15               the computer instructions stored on said recording  
16 medium instructing the computer to perform the process,  
17 the instructions including:

- 18               (a) analyzing the intellectual property  
19 portfolio;
- 20               (b) deriving first information responsive to  
21 said analyzing step (a) based upon the  
22 intellectual property portfolio;
- 23               (c) retrieving empirical data relating to  
24 known intellectual property portfolios; and
- 25               (d) comparing the first information derived  
26 in said deriving step (b) to the empirical data  
27 retrieved from said retrieving step (c) producing  
28 an intellectual property worth indicator  
29 indicating the worth of the intellectual property  
30 portfolio.

1                 14. A computer program product storing computer  
2 instructions therein for instructing a computer to  
3 perform a process for automatically determining a  
4 machine implemented estimated value of an intellectual  
5 property portfolio, the program product comprising:  
6                 a recording medium readable by the computer; and  
7                 the computer instructions stored on said recording  
8 medium instructing the computer to perform the process,  
9 the instructions including:  
10                 (a) analyzing the intellectual property  
11 portfolio stored in an intellectual property  
12 database;  
13                 (b) deriving first information responsive to  
14 said analyzing step (a) based upon the  
15 intellectual property portfolio;  
16                 (c) retrieving empirical data relating to  
17 known intellectual property portfolios; and  
18                 (d) comparing the first information derived  
19 in said deriving step (b) to the empirical data  
20 retrieved from said retrieving step (c) producing  
21 an intellectual property worth indicator  
22 indicating the worth of the intellectual property  
23 portfolio,  
24 wherein the intellectual property database  
25 includes at least one of a patent database, a trademark  
26 database, a copyright database, a legal reporter  
27 database, a current events database and an intellectual  
28 property status database.